

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL NOTE**

SB 193 – HB 372

March 11, 2021

SUMMARY OF BILL: Prohibits any governmental entity from requiring an employee to attend or participate in a training, seminar, or continuing education which the employee objects to on the basis of such employee's morals, ethics, values, or religious beliefs.

ESTIMATED FISCAL IMPACT:

On January 22, a fiscal note was issued estimating the fiscal impact as follows:

NOT SIGNIFICANT

After further consideration, it was determined the estimated fiscal impact was in error. As a result, the estimated fiscal impact has been corrected as follows:

(CORRECTED)

Other Fiscal Impact - This legislation may result in a loss of federal funding to the state, as well as local revenue in the form of BEP funding for local education agencies. The degree of any such loss in revenue would be dependent on multiple unknown factors, and cannot be reasonably determined.

Corrected Assumptions:

- This legislation defines "governmental entity" as state government and any of its subdivisions, county governments, municipal governments, and metropolitan governments.
- The number of times in which a governmental employee in Tennessee would object to participate in training or an education seminar due to such employee's morals, ethics, values, or religious beliefs is unknown.
- Based on information provided by the Department of Education (DOE), this legislation may have the effect of allowing teachers who disagree with currently required training on child abuse, child sexual abuse, and human trafficking training, from having to attend. Such training is currently required by Tenn. Code Ann. § 37-1-408.
- In addition, Title VI of the Civil Right Act of 1964 (Title VI) prohibits discrimination against a student on the basis of a student's immigration or citizenship status.
- Based on information from the DOE, LEAs ensure compliance with Title VI through manual employee training.

- Based on information from the DOE, receipt of federal funds for education are based on adherence and compliance of a variety of federal laws, including Title VI.
- If allowing teachers to opt out of required training is deemed to be out of compliance with federal law; federal funding for education may be jeopardized. In addition, a corresponding decrease in local revenue through BEP funding may occur.
- The precise impact, if any, is dependent on multiple unknown factors and cannot be reasonably determined. Multiple other instances of federal funding jeopardy may be present with various state and local entities.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Bojan Savic". The signature is written in a cursive, flowing style.

Bojan Savic, Interim Executive Director

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